

FEB 27 2006

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FRANK PALLONE, JR.

8TH DISTRICT, NEW JERSEY

Congress of the United States

House of Representatives

Washington, DC 20515-3006

February 27, 2006

REPLY TO:

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Walter D. Cruickshank
Acting Director, Minerals Management Service
Department of the Interior; MMS
Attention: Rules Processing Team
381 Elden Street, MS--4024
Herndon, CA 20170-4817

RE: Alternate Energy-Related Uses on the Outer Continental Shelf--1010--AD30

Dear Mr. Cruickshank:

I am writing to express my comments in response to the Minerals Management Service's Advance Notice of Proposed Rulemaking concerning alternate energy-related uses of the Outer Continental Shelf.

I represent a portion of the New Jersey coastline that is heavily dependent on clean beaches and oceans to support a tourism economy, which generates \$31 billion in spending and provides more than 836,000 jobs every year. Coastal tourism is New Jersey's second-largest industry and is closely linked to the state of our marine and coastal environment.

Given the broad socio-economic and environmental effects that any offshore coastal activity could have on New Jersey's coastline, therefore, I am expressing my concern about the regulatory framework being developed for non-extractive energy uses of the Outer Continental Shelf and for the lack of a clearly defined scope of uses. Your regulations should be as protective as possible of the marine and coastal environment and recognize the potential economic impacts of industrial accidents or other pollution.

Specifically, I believe the regulatory framework should include a well-defined process that will allow MMS to work with other agencies, including states and any regional governance body, to account for:

- Disruption and destruction of the benthic (seafloor) community, which is often the base of the food chain;
- Impacts to fish, birds and migratory marine animals including habitat impairments and modification of ecological relationships;


- Noise and vibration impacts;
- Physical obstructions caused by the off-shore facilities;
- Pollution from construction, siting, operations, and decommissioning of the off-shore facilities;
- Negative impacts to the aesthetic enjoyment of the ocean;
- Impacts to commercial and recreational fishing;
- Impacts to water recreational uses;
- Impacts to water based tourism uses; and,
- Impacts to local property values.

Moreover, while I acknowledge your commitment to applying the "coordination and consultation" sections of the Outer Continental Shelf Lands Act over all aspects of the alternate use program, the framework should insure that local stakeholders have the opportunity to provide input on each specific project. This input should include review of corporate capabilities and long-term responsibilities under any permitted project. By including representatives and residents of the shore communities affected by offshore activities, MMS will be clearly recognizing the immense cultural and socio-economic value of coastal and ocean resources and designing a regulatory framework that can best determine the future of this vitally important area.

I would also like to note that the regulatory framework will be developed prior to the National Academies of Science (NAS) report required by Section 1833 of the Energy Policy Act. While I realize that this timing is due to statutory requirements, our ability to develop protective and productive regulations requires an understanding of the science that underlies offshore energy development. Therefore, I urge MMS to review the conclusions and recommendations of the NAS report upon its completion and consider receiving further stakeholder input and making necessary changes to the Section 388 regulations.

Thank you for providing the opportunity to comment on this important matter.

Sincerely,


FRANK PALLONE, JR.
Member of Congress